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Assistant Commissioner for Patents
Washington, D.C. 20231

PATENT
Attorney Docket No.: 016930-000630US
Client Reference No.: 3001-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael H. Shepard et al.

Application No.: Unassigned

Filed: Herewith

For: METHOD FOR SELECTIVELY TRANSDUCING PATHOLOGIC MAMMALIAN CELLS USING A TUMOR SUPPRESSOR GENE

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97 and §1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are not enclosed, since they were cited in the parent case, U.S. Application No. 08/403,797. Enclosed is a copy of the Search/Examination report corresponding to the PCT application. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Joseph R. Snyder
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 5

Complete if Known	
Application Number	08/403,797
Filing Date	December 4, 1995
First Named Inventor	Shepard, H. Michael
Group Art Unit	1633
Examiner Name	Dave Nguyen
Attorney Docket Number	016930-000600US

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No.[1]	U.S. Patent Document Number	Kind Code[2] (*if known*)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	5,087,617		Smith	02/11/1992	
	2	5,252,479		Srivastava	10/12/1993	
	3	5,834,256		Finer et al.	11/10/1998	
	4	5,219,740		Miler et al.	06/15/1993	
	5	5,532,220		Lee et al.	07/02/1996	
	6	5,248,671		Smith	09/28/1993	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.[1]	Foreign Patent Document Office[3]	Number[4]	Kind Code[5] (*if known*)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T[6]
	7	PCT	WO 91/15580			10/17/1997		
	8	PCT	WO 93/10814			06/10/1993		
	9	EP	0 475 623 AI			08/23/1991		
	10	PCT	93/08844			09/17/1993		

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 5

Complete if Known	
Application Number	08/403,797
Filing Date	December 4, 1995
First Named Inventor	Shepard, H. Michael
Group Art Unit	1633
Examiner Name	Dave Nguyen
Attorney Docket Number	016930-000600US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No.[1]	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T[2]
	11	Anderson, "Human Gene Therapy," *Science*, **256**:808-813 (1992)	
	12	Baker et al., "Suppression of Human Colorectal Carcinoma Cell Growth by Wild-Type p53," *Science*, **249**:912-915 (1990)	
	13	Callahan, "p53 Mutations, Another Breast Cancer Prognostic Factor," *J. Natl. Canc. Inst.*, **84**(11):826-827 (1992)	
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	18	Correll et al., "Production of human glucocerebrosidase in mice after retroviral gene transfer into nutipotential hematopoietic progenitor cells," *Proc. Natl. Acad Sci. U.S.A.*, **86**:8912-8916 (1989)	
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Sheet 3 of 5

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Application Number	08/403,797
Filing Date	December 4, 1995
First Named Inventor	Shepard, H. Michael
Group Art Unit	1633
Examiner Name	Dave Nguyen
Attorney Docket Number	016930-000600US

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

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	26	Guild et al., "Retroviral transfer of a murine cDNA for multidrug resistance confers pleiotropic drug resistance to cells without prior drug selection," *Proc. Natl. Acad. Sci. (USA)*, **85**:1595-1599 (1988)	
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	28	Isaacs et al., "Wild-Type p53 Suppresses Growth of Human Prostate Cancer Cells Containing Mutant p53 Alleles," *Cancer Research*, **51**:4716-4720 (1991)	
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	34	Levine et al., "The p53 tumour suppressor gene," *Nature*, **351**:453-456 (1991)	
	35	Malkin et al., "Germ Line p53 Mutations in a Familial Syndrome of Breast Cancer, Sarcomas, and Other Neoplasms," *Science*, **250**:1233-1238 (1990)	
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Sheet 4 of 5

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Filing Date	December 4, 1995
First Named Inventor	Shepard, H. Michael
Group Art Unit	1633
Examiner Name	Dave Nguyen
Attorney Docket Number	016930-000600US

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	41	Shaw et al., "Induction of apoptosis by wild-type p53 in a human colon tumor-derived cell line," *Proc. Natl. Acad. Sci. (U.S.A.)*, 89:4495-4499 (1992)	
	42	Sikora, K., "Gene therapy for cancer," *TIBTECH*, **11**:197-201 (1993)	
	43	Srivastava et al., "Germ-line transmission of a mutated p53 gene in a cancer-prone family with Li-Fraumeni syndrome," *Nature*, **348**:747-749 (1990)	
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	46	Thor et al., "Accumulation of p53 Tumor Suppressor Gene Protein: An Independent marker of Prognosis in Breast Cancers," *J. Natl. Canc. Inst.*, **84**(11):845-855 (1992)	
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Sheet 5 of 5

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Application Number	08/403,797
Filing Date	December 4, 1995
First Named Inventor	Shepard, H. Michael
Group Art Unit	1633
Examiner Name	Dave Nguyen
Attorney Docket Number	016930-000600US

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	56	Culver et al., "Gene therapy for solid tumors," *British Medical Bulletin*, **51**:192-204 (1995)	
	57	Carbone et al., "In vivo gene therapy of human lung cancer using wild-type p53 delivered by a retrovirus," *J. Natl. Cancer Inst.*, **86**:1437-1438 (1994)	
	58	Huang et al., "Suppression of the neoplastic phenotype by replacement of the RB gene in human cancer cells," *Science*, **242**:1563-1566 (1988)	

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